

APPEAL NO. 030666  
FILED APRIL 28, 2003

This appeal arises pursuant to the Texas Workers' Compensation Act, TEX. LAB. CODE ANN. § 401.001 *et seq.* (1989 Act). A contested case hearing was held on January 29, 2003. With respect to the single issue before her, the hearing officer determined that the appellant's (claimant) compensable injury of \_\_\_\_\_, does not include lumbar degenerative disc disease, herniated discs at L3-4 and L4-5, and central canal stenosis at L4-5. In his appeal, the claimant essentially argues that the hearing officer's extent-of-injury determination is against the great weight of the evidence. In its response to the claimant's appeal, the respondent (carrier) urges affirmance. The parties stipulated that the claimant did not sustain a cervical injury on \_\_\_\_\_.

DECISION

Affirmed.

The hearing officer did not err in determining that the claimant's compensable injury of \_\_\_\_\_, does not include lumbar degenerative disc disease, herniated discs at L3-4 and L4-5, and central canal stenosis at L4-5. That issue presented a question of fact for the hearing officer to resolve. From the hearing officer's discussion, it is apparent that she was not persuaded that the claimant sustained his burden of proving that the compensable injury aggravated the preexisting conditions in his lumbar spine. That is, the hearing officer determined that the claimant did not sustain his burden of proving the causal connection between his compensable injury and his lumbar degenerative disc disease, the herniations at L3-4 and L4-5, and the central canal stenosis at L4-5. The hearing officer was acting within her province as the fact finder in so finding. Our review of the record does not reveal that the challenged determination is so against the great weight of the evidence as to be clearly wrong or manifestly unjust. Therefore, no sound basis exists for us to reverse that determination on appeal. Pool v. Ford Motor Co., 715 S.W.2d 629 (Tex. 1986); Cain v. Bain, 709 S.W.2d 175 (Tex. 1986).

The hearing officer's decision and order are affirmed.

The true corporate name of the insurance carrier is **ARCH INSURANCE COMPANY** and the name and address of its registered agent for service of process is

**CT CORPORATION SYSTEM  
350 NORTH ST. PAUL STREET  
DALLAS, TEXAS 75201.**

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Elaine M. Chaney  
Appeals Judge

CONCUR:

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Daniel R. Barry  
Appeals Judge

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Gary L. Kilgore  
Appeals Judge